

Minutes
Catawba County Board of Commissioners
Regular Session, Monday, December 20, 2004, 7:00 P.M.

Appointments

City of Claremont Planning Board and Board of Adjustment	750	12/20/04
Catawba County Planning Board	750	12/20/04
Board of Equalization & Review	750	12/20/04
Voting Delegate for Legislative Goals Conference – NCACC	750	12/20/04

Bids

Radio Parts	751	12/20/04
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Board of Commissioners

Proposed meeting dates	753	12/20/04
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CVCC

Master Plan	747	12/20/04
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Emergency Services

Radio Parts Bid	751	12/20/04
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EPA

PM2.5	753	12/20/04
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Mental Health

Transfer of Vehicle Titles	751	12/20/04
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Personnel

GIS Job Class	751	12/20/04
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Presentations

CVCC Master Plan	747	12/20/04
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Public Hearings

Rezoning Request – Bakers Mountain Properties	748	12/20/04
Rezoning Request – Rock Barn Area	748	12/20/04

Resolutions

NAACP Youth Council	747	12/20/04
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Sheriff

Transfer of Vehicle	751	12/20/04
Fee for Storage of Weapons	750	12/20/04

Utilities and Engineering

Water Supply Loop	752	12/20/04
CDBG Infrastructure Hook-Up		

The Catawba County Board of Commissioners met in regular session on Monday, December 20, 2004, 7:00 p.m. at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chairman Dan A. Hunsucker, Commissioners Glenn E. Barger, Barbara G. Beatty, and Lynn M. Lail.

Absent: N/A.

A quorum was present.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Joellen J. Daley, County Attorney Robert Oren Eades, Attorney Debra Bechtel, and County Clerk Barbara E. Morris.

1. Chair Barnes called the meeting to order at 7:03 p.m.
2. Chair Barnes led the Pledge of Allegiance to the Flag.
3. Invocation was offered by Commissioner Barger.
4. Vice-Chair Hunsucker made a motion to approve the minutes from the regular and closed session of Monday, December 6, 2002. The motion carried unanimously.
5. Recognition of Special Guests.
Chair Barnes recognized the following special guests:
Members of the Board of Trustees for CVCC: Charles Preston, John Watts and Joe Long
President and Vice-President of CVCC: Cuyler Dunbar and Coy Hudson
NAACP: Jerry McCombs and the Youth Council of the Catawba County Chapter of NAACP
Newton-Conover Board of Education member: Randy Isenhower
Sheriff Huffman
6. Public Comment for items not on the agenda: None
7. Presentations.
 - a. Chair Barnes stated that Congressman Cass Ballenger was unable to attend the meeting as scheduled.
 - b. Commissioner Beatty asked Catawba County NAACP President Jerry McCombs to introduce the members of the Youth Council present at the meeting and said the Board was very pleased with the Council's interest and initiative. Commissioner Beatty then presented a Resolution recognizing The Catawba County Branch of the NAACP Youth Council's positive efforts in the community. Mr. McCombs thanked the Board for the award and stated the NAACP was trying to teach these youth members to become leaders in the future. Chair Barnes recognized Gavin's (a youth member) orating ability at the NAACP Banquet and said there was a lot to look forward to in leadership from all these youth.
 - c. CVCC President Cuyler Dunbar introduced the CVCC Facilities Master Plan which he said was an excellent guide to get started on the adjustments needed to accommodate operations such as Lemforder and the Getrag expansion. Mr. Dunbar introduced Jim Powell and Tom Carlson of ADW Architects from Charlotte to explain how the plan was developed. Jim Powell said this was a process and it had taken several months to reach this point. He stated the goal for the project was to help CVCC transform their strategic education plan into comprehensive vision for the future. ADW Architects' job was to take the college's well-thought-out education plan and to integrate the plan into a facility master plan. An analysis of the existing campus was conducted with a space-needed study. Mr. Powell said that a community college has to be flexible so that they can respond to the marketplace of the community in regard to facility usage. The existing square footage of the college is 500,000 square feet and 2000 parking spaces. With an anticipated 4% growth per year, 20 years from now approximately one million square feet would be needed with parking decks necessary in the long term. Mr. Carlson described the plan with the critical need for flexibility of usage for the buildings and maximum utilization of the land. Another goal was to improve the vehicle and pedestrian circulation with the aim to separate pedestrian circulation from vehicular circulation, pushing the vehicular circulation to the perimeter.
Commissioner Barger confirmed with Mr. Powell that the expansion would be done on existing land

without further land acquisition. Commissioner Lail asked that if without acquiring a certain section of land if there would be connectivity with the East Campus and Mr. Powell answered there was no real direct connectivity without purchase of this land. Chair Barnes noted the collegiate appearance of the quadrangle and inquired how this related to the industrial training that community colleges are doing. Mr. Carlson answered that the area in question was more academic oriented but they had created a vocational/industrial area which is separate. Commissioner Beatty inquired as to the urgency of the need for parking decks and Mr. Carlson said they believed no parking decks would be required in the next five years and Mr. Powell clarified that they believed the decks should be only be a consideration in the five to ten year timeframe but a serious option in the ten to twenty year timeframe. He noted that parking decks are expensive and they should only be looked at if they are the only option so the current plan is to use every possible way to grow without a parking deck and when it is necessary to build one, to be very careful on choosing its location.

Chair Barnes questioned how the existing sports fields play into the long-range educational plan of the community college as it appears that that land is incredibly valuable and might transfer to another use at some point. Mr. Powell said they had been told those fields were extremely valuable to the college and the community and they were utilized greatly. He said that if that need changed, that land could be looked at for other use and because of the location of those fields, they would most likely be used for parking.

Chair Barnes thanked Mr. Powell, Mr. Carlson and Cuyler Dunbar for the presentation.

8. Public Hearings.

- a. Rich Hoffman, County Planner, presented a rezoning request of Baker's Mountain Properties to rezone a 13-acre parcel of land from the current split zoning of R-1 Residential District and O-I Office-Institutional District, to a PD-MU Planned Development-Mixed Use District. The parcel currently consists of 4.5-acres zoned O-I and 8.5-acres zoned R-1. The property is located at 1970 Briarwood Drive, Hickory NC 28602, Parcel Identification Number 2791-19-72-2348. The proposed use on the site is mini-storage and a house where a resident manager will reside. The applicant has agreed and noted on the site plan that there would be no access to this site through the residential neighborhoods. The Planning Board recommended the rezoning of this property. Commissioner Beatty stated she was glad that the past cut-through issue on the rezoning had been taken care of and confirmed that the applicant (John Wilson) had obtained a right of way on the private road. Chair Barnes asked for any public comment on this issue and there was none and the public hearing was closed. Vice-Chair Hunsucker made a motion to approve the rezoning. The motion carried unanimously.

Mary George, County Planner, at the request of Chair Barnes, presented an overview of the remaining four public hearings regarding rezoning. The first hearing was for the rezoning of the area around the Rock Barn involving 335 parcels for residential rezoning from R-2 and R-3 to R-1 which would not allow for manufactured homes. The second hearing is for a minor amendment to the Small Area Plan for a mixed-use corridor designation on Rock Barn Road and Hwy 16. The third public hearing is for a zoning ordinance amendment for a mixed-use corridor overlay district which replaces our current Terrell Hwy Corridor District. The fourth hearing is for the implementation of the overlay district that would be put on the zoning maps. These hearing all relate to the St. Stephens/Oxford Small Area Plan.

- b. Ms. George presented the rezoning request on the rezoning of 335 parcels from R-2 and R-3 residential to R-1 residential in the Rock Barn area as recommended by the St. Stephens/Oxford Small Area Plan. The properties proposed for rezoning are in an area bounded on the south and east by the City of Conover and Claremont's Planning jurisdiction, on the north generally by an unnamed tributary to Lyle Creek just east of Shook Road and on the west side by one tract west of NC Hwy. 16 North. The boundary continues to the planning jurisdiction of the City of Conover on C & B Farm Road to a point where it meets on NC Hwy. 16 North. The area includes approximately 2800 acres containing 335 properties. There are no tax implications for property being rezoned to R-1 residential. Existing manufactured homes would be grandfathered. 37 people attended the meeting on November 16, 2004 regarding this rezoning and concerns were voiced regarding being told what they could do with their property but other people called in support of the rezoning. The Planning Board recommended the rezoning of this property. Chair Barnes confirmed that this rezoning would not impact the tax rate on any of the properties involved. Commissioner Barger asked about businesses in the area and Ms. George said these businesses would not be impacted by the change (they would stay non-conforming). Chair

Barnes opened the public hearing and Mrs. Eddie Deal and Mr. John Deal came forward and said they were unable to attend the last meeting regarding this rezoning and they were unsure what zone they were in. Mary George confirmed that the Deals were in the proposed R-1 zoning area and that if they owned a manufactured home, it would be grandfathered. Mr. Deal asked if they could still subdivide to build a house and Ms. George confirmed this. Chair Barnes closed the public hearing and asked Robert Eades, County Attorney, to ensure the vote was conducted appropriately. Attorney Eades advised that since Vice-Chair Hunsucker owns some of the parcels at issue, it would be appropriate for him to be excused from the vote on this particular rezoning request. He further stated that the remaining rezoning issues did not pertain specifically to Mr. Hunsucker's property and he could vote on those matters. A motion was made by Commissioner Barger to excuse Vice-Chair Hunsucker from voting. The motion carried unanimously. Commissioner Lail made a motion to adopted the proposed rezoning and this motion was carried by vote of all commissioners not excused from the vote.

- c. Ms. George presented the proposed amendment to the St. Stephens/Oxford Plan. This amends the further land use map and identifies the mixed-use areas. The purpose is to provide a uniform corridor within the mixed-use villages similar to the Terrell Hwy Corridor District within the village area recommended in the Sherrill Ford area plan. The mixed-use corridor would be on both sides of Hwy 16 and Rock Barn Road. To do this, a minor amendment is necessary to the adopted St. Stephens/Oxford Small Area Plan. It was proposed that the corridor be 1000 feet on both sides of the Rock Barn Road and Hwy 16. The original proposal went to a community meeting and included property at the rear entrance to Rock Barn. Based on comments from individuals at the community meeting, the 12.2 acres of property at the rear entrance to Rock Barn was removed from this plan (Option B). The Planning Board recommended the amendment be adopted. Commissioner Barger asked about possible traffic problems and Mary said as site plans come into place, traffic improvement may be required, such as turn lanes and deceleration lanes. Chair Barnes opened the public hearing and closed the public hearing when no one came forward. Vice-Chair Hunsucker moved to approve the Option B on the proposed amendment. The motion carried unanimously.
- d. Mary George presented the zoning text amendment for the mixed-use corridor overly (MUC-O). To implement the amendment to the St. Stephens/Oxford Plan (c above) an overlay district must be created. The proposed Mixed-use Corridor District would allow mixed uses such as commercial, office and multi-family townhomes and would help to implement all the small area plans which have mixed-use corridors recommended. The Terrell Hwy Corridor was adopted last year which contained a series of higher development standards for mixed-use development. Planning felt it appropriate to create a generic mixed-use corridor that could be used and applied to all the corridors in the County. It would make the ordinance a lot easier to follow. The result was to take the Terrell Hwy Corridor and make some minor amendments and use it as the generic plan. The Rock Barn corridor will be referred to as the Greater Rock Barn Economic Development District. The minor changes include being allowed to put a home on a piece of property in the corridor. The minimum lot size previously was 40,000 square feet and it is reduced to 20,000 square feet (about ½ acre). The rear set back is to be reduced to 20 feet and the wall space in commercial buildings should be broken up with windows, façade treatments or awnings. Tinted windows are also discouraged. There would be sidewalk requirements on one side of the road in residential areas. A community meeting was held presenting the draft plan and a concern was voiced that a family subdivision would not be allowed in the corridor. The St. Stephens/Oxford Committee made a recommendation to allow family sub-divisions but they would be subject to a maximum of two driveway connections. These changes were recommended by staff. The Planning Board recommended this amendment. Commissioner Beatty questioned the change to the Terrell Hwy District Plan without discussions with the Sherrill Ford Small Area Plan committee and suggested meeting with the committee regarding these changes. Commissioner Barger questioned the limit of two driveway connections in the family subdivision. The Board proceeded with discussions regarding this limitation to a family subdivision. Chair Barnes opened the public hearing and closed the public hearing when no one came forward to speak. Commissioner Barger again voiced his concern about the two driveway connection limitation and felt the amount of road frontage footage should come into consideration. County Attorney Eades suggested addressing the issue by applying the general provisions of the ordinance, regardless of whether it is a family subdivision, where if you have less than 500 feet of road frontage you get one driveway, if you have between 501 and 999 feet of road frontage, you get two driveways and more than 1000 feet of road frontage, you get three driveways. He suggested a possible solution of if you have a family subdivision you are entitled to two driveways but if the road frontage is over 1000 feet, you get three driveways. The commissioners stated this was a good solution. Commissioner Beatty questioned the change of minimum lot size from 40,000 square feet to 20,000 square feet and Ms. George explained

that the 40,000 square foot minimum was large for commercial use and was therefore reduced. It was stated that any ordinance is a work in progress and open to review at any time. Commissioner Hunsucker made a motion to approve the ordinance with the addition of option described by County Attorney Eades regarding driveway limitations, specifically, a family subdivision with less than 1000 feet of road frontage may have 2 driveway connections and 3 driveway connections if the road frontage exceeds 1000 feet. Commissioner Beatty then clarified that the Planning Department had discussed these changes with the Oxford Small Area Plan Committee but had not yet done this with the Sherrill Ford Plan Committee. Ms. George said they had not because they felt the ordinance was 90% of what was originally adopted and the spirit and intent was indicative of what the Sherrill Ford Plan had intended and the Planning Board members who were on committee supported the change. Commissioner Beatty said she still believed a meeting with Sherrill Ford Plan Committee was needed and the other commissioners agreed. The motion carried unanimously. Chair Barnes said it would be beneficial to call back the other small area plan committees and review the ordinance with them (Mountain View and Terrell area).

- e. Mary George presented the proposed amendment to the official zoning map to establish the "Greater Rock Barn Economic Development Overlay District". It is the final step in the implementation of these proposed zoning amendments. The base zoning of the property in the district is residential with no tax implication. If and when someone decides they want their property developed for commercial uses, they must abide by the development standards that were adopted in the ordinance. The proposed area is 1000 feet on each side of the road of Rock Barn Road and Hwy 16. The Planning Board recommended Option B Amendment to the Official Zoning Atlas. Vice-Chair Hunsucker questioned how the area at the rear entrance to Rock Barn that was removed in Option B would be affected. Mary George said that area would not support commercial rezoning of that area because they were not included in that corridor so that area could only be single family residential. Chair Barnes opened the public hearing regarding this issue and closed the public hearing when no one came forward. Commissioner Barger moved to adopt the proposed amendment Option B. The motion carried unanimously. Chair Barnes thanked Mary George for her work on this rezoning and Vice-Chair Hunsucker complimented the whole planning department for their time and work on this project.

9. Appointments:

The following appointments were made in the form of a motion:

Commissioner Lail - City of Claremont Planning Board and Board of Adjustment- Franklin R. Harris for a 2nd term and Robert E. Smith for a third term.

Commissioner Lail - Catawba County Planning Board – Charles F. Conner for a 2nd term and Rusty Lutz for a 2nd term.

Commissioner Lail – Board of Equalization and Review – Lynda Lea DeHart for a 2nd term and Kim S. Clarke for a first term.

The motion carried unanimously.

Chair Barnes noted that the Legislative Goals Conference for the North Carolina Association of County Commissioners is scheduled in January and a voting delegate needed to be appointed. Chair Barnes said she would be attending and Commissioner Lail made a motion to appoint Chair Barnes as the voting delegate to this conference. The motion carried unanimously.

10. Consent Agenda:

County Manager J. Thomas Lundy presented the following consent agenda items:

- a. Request from the Sheriff's Department to establish a \$5.00 a month fee for the storage of weapons that are surrendered to the Sheriff office. The General Statutes have been recently amended allowing for such fees and fees range from \$1 per month to \$5 per day. The recommendation is for a \$5.00 per month storage fee.

SUPPLEMENTAL APPROPRIATION:

Revenue

661010-110-210350	\$600
Surrendered Weapons Storage Fee	

Appropriation:

831090-110-210350	\$600
Other varied	

- b. Request from the Sheriff's office to transfer a Ford Expedition with over 100,000 miles to the Maiden Police Department. This is the second time the Board has considered such a transfer. A Maiden officer assigned to work on narcotics with the Sheriff Department and the vehicle has become known to the drug community so in exchange for their work it is suggested that the vehicle be transferred to the Maiden Police Department.
- c. Request approval of a new job class for a GIS Application Specialist Grade 74.
- d. Request for the transfer of 21 vehicle titles for vehicles associated with Mental Health and taking those vehicles from the County's records to The Catawba Valley Behavioral Health organization.
- e. Bid award for radio parts in the amount of \$89,816.08. The County is two years into a project to improve the County's communication through a voted system so that people trying to dispatch for our public safety agencies. This money is for retrofitting the towers that are in place.

Summary of Project

Beginning Balance: \$1,114,904

- Expenditures/Encumbrances to date:

Tower and tower site repairs:	\$65,965
- Structural Analysis: JC Tower	
- Structural Analysis: Station 2 Tower	
- Justice Center Tower Maintenance (Replacement antennas, cables, ice bridge, grounding repairs, tower lighting, and wave guide.	
- Baker, Anderson, & JC Batteries replacements	
- Anderson Mountain grounding upgrades	
- Replacement of Guy wires on Station 2	
Licensing coordination for maintenance of 800mhz, 5 channel frequencies	\$2,975
RF Coverage Study for VHF & 800mhz	\$6,800
RF Feasibility Study for VHF voted system	\$5,500
RF Design Study for VHF voted system	\$32,350
Replacement base stations for aged equipment	\$96,600
*Centrecom firmware upgrade for CIEB and consoles	\$51,012
One channel 800mhz connectivity with Hickory 911	\$2,150
**Connectivity Equipment for the point to point T1 lines that will connect each site together	\$59,182
*Transmit, Receive, and comparator equipment: Various pieces of this equipment will be placed at each site to complete the Voter system.	\$248,831
**Equipment such as antennas, antenna mounts, grounding equipment, surge protection, cabinets, battery backup, etc . .	\$89,816
Installation of the Voter system equipment, upgrade of the firmware for consoles, installation of power supplies, upgraded grounding of consoles,	\$132,150
Frequency coordination and filing fees for changes related to Voter system	\$1,200
Installation of point to point T1 lines from all location to JC (Bellsouth and Sprint: Bellsouth waived installation cost due to continuing project account with the County)	\$10,995

* Denotes purchased from NC State Contract.

** Denotes formal bid process.

- Remaining expenditures (**estimates**):

Installation of cabinets that includes concrete, electrical, antennas, antenna mounts, grounding equipment, surge protection, cabinets, battery backup, permitting fees etc . .at each water tower site.	\$61,000
Purchase, delivery and permitting fees of 12' x 8' prefabricated communication shelter for 16N Tower site	\$34,000

Installation of prefabricated communication shelter	\$26,000
Tower repairs at Catawba Rescue	\$5,000
Installation and/or removal of antennas, antenna mounts, grounding equipment, surge protection at tower sites: (JC, Anderson, Baker, Station 2, Catawba Rescue)	\$45,000
Service / Maintenance fees from installation to June 30, 2005	\$17,000
Installation of Adtran equipment	\$7,500
Project contingency (for repairs and agreements made to various sites)	\$114,000

The RF Committee recommendations to date have been to implement the Voted radio system. This Committee currently meets on a bi-monthly schedule. Future plans were submitted as part of the CIP in 2004/2005. These plans are continually evolving with the availability of grants that will allow for expansion. There have been many opportunities made available through partnerships not only with local agencies but also with state agencies that may drive the path of the County's radio system. The current estimated completion date of the Voted Radio System for use by the County's Public Safety agencies is March 2005.

Commissioner Barger made a motion to approve the consent agenda. The motion carried unanimously.

11. DEPARTMENTAL REPORTS

a. Utilities and Engineering:

1. SECC Water Supply Loop Phase 1 Change Order. Barry Edwards, Utilities and Engineering Director presented this change order to Ronny Turner Construction Co., Inc in the amount of \$82,296.61 and a budget revision in the amount of \$82,300. This request is due to lane closure restrictions added to the Southeast Catawba County Water Supply Loop Phase 1 after the bid award. The Utilities and Engineering Department acquired encroachment agreements from the State of North Carolina DOT and no restrictions were put on that encroachment agreement. However, after the bid process, at a pre-construction meeting with contractor the DOT officials informed the County that there would be lane restrictions on Sherrill Ford Road, NC Hwy 150 and Mt Pleasant Church Road. After several meetings with Mr. Joe Lamb of the DOT on January 22nd and 29th – there was a reduction of restrictions to only Hwy 150. The original closures were from 6:00 a.m. to 8:30 a.m. Later in the project the closures were reduced to 6:00 a.m. to 8:15 a.m.

The work has been completed on the portions to which these restrictions apply and the change order is the result of complying with these restrictions.

Commissioner Beatty asked how this could be prevented in future projects. Barry Edwards stated he knew of no way of preventing this because the State laws allow DOT to make a change during the process. The County does due diligence by getting the encroachment agreement and having a pre-bid meeting that the DOT is invited to and most times attends. If the County is not informed up front or the restriction is not noted in the encroachment agreement, the County has no way to inform the contractor of these restrictions. Commissioner Hunsucker clarified that if the DOT was specifically asked about possible lane closure restrictions they may not respond in the affirmative at that time but can change their minds and then put in these restrictions. Chair Barnes stated essentially we have no control over what DOT can mandate when we are in the midst of a project. Mr. Edwards said this was the first time this has occurred in the ten years he has been with the County. Attorney Debra Bechtel noted that there had been a lot of changes in the districts of DOT and the County is working with people they have not worked with before and it's a process of getting to know the people and getting those people to know how the County works.

Commissioner Beatty made a motion to approve the change order and budget revision. The motion carried unanimously

2. 2004 CDBG Infrastructure Hook-Up Grant. Barry Edwards, Utilities and Engineering Director presented a resolution to adopt the policies and procedures that are required by the Department of Commerce in order to accept the 2004 CDBG Infrastructure Hook-Up Grant for low to moderate income households. A project ordinance and budget revision in the amount of \$75,000

(amount of Grant) and an administrative contract with Western Piedmont Council of Governments in the amount of \$7,500 is submitted for approval. The grant will provide approximately 30 low to moderate income (80% of the median Catawba County income) household taps.

Commissioner Beatty asked if the County currently had any applications for those taps yet and Mr. Edward said they had none now but were advertising in these venues. Commissioner Beatty suggested contacting these eligible people directly and Mr. Edwards said discussions had taken place to send letters to the homeowners on Hwy 150 who they were aware needed assistance and those letter would be sent this week following the Boards action. He further said they would let the municipalities with which the County partners know about this grant so they could advise people when they come in to apply to be connected. Commissioner Beatty suggested that every contaminated family in the area be sent a letter about the grant. Chair Barnes said the County had several areas that needed to be targeted to contact with this information and television and newspapers ads were not enough.

Commissioner Lail made a motion to adopt the resolution, budget ordinance and contract for administration of the grant. The motion carried unanimously.

12. Attorneys' Report. None.

13. Manager's Report.

County Manager J. Thomas Lundy said when the Board had its retreat and adopted its goals to implement the Foresight Report, the Board decided it wanted to have separate work sessions to discuss each of those four topics. The first topic the Board wanted discussed was education and asked for a meeting with the three school boards and that meeting has been arranged for Tuesday, January 4, 2005 at the Catawba County Schools Annex, which is the facility purchased from Ridgeview Mills. Dinner will be at 5:30 p.m. and the meeting will begin at 6:00 p.m. Mr. Lundy said he would be sending to the Commissioners a proposed schedule for the other three discussions. He proposed the meeting on Leadership and Political action to convene at 8:00 a.m. on February 7, 2005; the Environment discussion to convene the afternoon of the March 21st meeting and the Jobs and Business Creation discussion to occur the afternoon of the April 18th meeting. The Board had also asked that meetings be arranged with the different city councils and the proposal for those meeting is to have them in June, July and September. The proposed schedule will be mailed to the Commissioners within the week.

County Manager J. Thomas Lundy asked that the Board consider going into Closed Session under General Statute 143-318.11 for two items – the first to discuss the relocation or expansion of industry or other business in the area and the second would be under the personnel guidelines and General Statutes and he would not anticipate any public action.

Chair Barnes reminded everyone that the next regular meeting is Tuesday, January 18, 2005 at 7:00 p.m. and the County Offices will be closed in observance of the holidays for December 23, 24 and 27th and December 31, 2004. Martin Luther King's Birthday will be observed on Monday, January 17th.

Chair Barnes noted for the Board members that the EPA did make its declarations for PM2.5 regarding air quality and the County has been designated as non-attainment and options would be discussed tomorrow. The current reading for PM2.5 is 15.18 and the requirement is for 15.0. Chair Barnes said there were hopes with the 4th quarter data for 2004 that the County will be below that level and will be able to request special consideration after that. Commission Barger asked if they considered the latest data. Chair Barnes said that the EPA has cited that the law states they are to use the three years readings from 2001 through 2003. Chair Barnes said she is hoping they will entertain using the latest data. Chair Barnes also said the EPA would not accept data from the second monitor that has been installed for a short period. Commissioner Beatty said that it is unknown what causes the PM2.5 and Chair Barnes agreed and said it is unknown where it is coming from. Vice-Chair Hunsucker said this had come at a bad time when the County was seeing some economic improvement and for such a minute amount, it seems ridiculous to go through this. Chair Barnes noted that Catawba County has been very diligent in this area. Catawba County was the first county to have an air quality committee over 4-5 years ago and the EPA knows the County takes these issues very seriously.

Chair Barnes, on behalf of the Board and the Staff, wished everyone a wonderful holiday.

At 8:49 p.m. Commissioner Barger made a motion to recess into Closed Session pursuant to North Carolina General Statute 143-318.11. The motion carried unanimously.

At 9:10 p.m. Commissioner Hunsucker made a motion to return to Open Session. The motion carried unanimously.

14. Adjournment.

At 9:11 p.m., there being no further business to come before the Board, Commissioner Hunsucker made a motion to adjourn. The motion carried unanimously.

Katherine W. Barnes
Chair, Board of Commissioners

Barbara E. Morris
County Clerk